

EXHIBIT G

CAUSE NO. 21-DCV-306476

LUIS CASTANEDA,	§	IN THE DISTRICT COURT
	§	
Plaintiff,	§	
	§	
vs.	§	240TH JUDICIAL DISTRICT
	§	
U.S. BANK TRUST, N.A.,	§	
	§	
Defendant.	§	FORT BEND COUNTY, TEXAS

DEFENDANT’S ORIGINAL ANSWER

COMES NOW, Defendant U.S. Bank Trust National Association, not in its individual capacity, but solely as Trustee of LSF11 Master Participation Trust¹ (“U.S. Bank” or “Defendant”) and files its Original Answer to Plaintiff’s *Original Petition, Application for Injunctive Relief, and Request for Disclosures* (the “Petition”), stating as follows:

I. GENERAL DENIAL

Pursuant to Rule 92 of the Texas Rules of Civil Procedure, Defendant generally denies each and every allegation contained in the Petition and demands strict proof thereof.

II. AFFIRMATIVE AND OTHER DEFENSES

In addition to its general denial, Defendant asserts the following affirmative and other defenses:

1. Plaintiff fails to state a claim upon which relief can be granted.
2. Plaintiff’s claims are barred, in whole or in part, because Plaintiff has filed suit against the wrong entity or alternatively has filed suit using an incorrect name for the entity being sued.

¹ Plaintiff improperly names U.S. Bank Trust, N.A., but the correct name of the entity is U.S. Bank Trust National Association, not in its individual capacity, but solely as Trustee of LSF11 Master Participation Trust.

3. Plaintiff's claims are barred, in whole or in part, by Plaintiff's failure to allege and prove facts sufficient to support a right to relief.

4. Plaintiff's claims are barred, in whole or in part, by Plaintiff's failure to allege and prove all conditions precedent to recovery.

5. Plaintiff's claims are barred, in whole or in part, by Defendant's compliance with all applicable contract(s) and agreements.

6. Plaintiff's claims are barred, in whole or in part, by Defendant's compliance with applicable statute(s) and other provisions of law.

7. Plaintiff's claims are barred, in whole or in part, by of the doctrines of set off, offset, or recoupment.

8. Plaintiff's claims are barred, in whole or in part, by waiver, estoppel, quasi-estoppel, laches, unclean hands, and/or other equitable doctrines.

9. Plaintiff's claims are barred, in whole or in part, by the economic loss doctrine.

10. Plaintiff's claims are barred in whole or in part because Plaintiff failed to mitigate his damages, if any.

11. Plaintiff's claims are barred, in whole or in part, because Defendant's acts and/or omissions were not the cause of Plaintiff's damages, if any. Rather, Plaintiff's damages, if any, were proximately caused by the acts, omissions, or breaches of other persons and/or entities including Plaintiff himself, and the acts, omissions, or breaches were intervening and superseding causes of Plaintiff's damages, if any.

12. Defendant reserves the right to object to the reasonableness of Plaintiff's attorneys' fees.

13. Defendant denies liability for punitive or exemplary damages. Further any claims for punitive exemplary damages are subject to the limitations and constraints of Due Process found in the Fifth and Fourteenth Amendments to the United States Constitution and Article, I § 19 of the Texas Constitution.

14. Plaintiff's damages, if any, were proximately caused by Plaintiff's own actions or omissions.

III. RESERVATION OF RIGHTS

As authorized by the Texas Rules of Civil Procedure, Defendant reserves the right to amend this pleading before the trial of this cause on the merits.

IV. PRAYER

WHEREFORE, PREMISES CONSIDERED, Defendant prays that, upon final hearing hereof, judgment be rendered that Plaintiff take nothing by this suit, and Defendant be awarded its costs and expenses, as well as all other and further relief, at law and in equity, to which it may be justly entitled.

Respectfully submitted,

/s/ Matthew K. Hansen

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COUNSEL FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of September 2023, a true and correct copy of the foregoing document was served on the following via eFile Texas according to the Texas Rules of Civil Procedure:

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Automated Certificate of eService

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Andre Johnson on behalf of Andre Johnson
 Bar No. 24123462
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 Envelope ID: 79633892
 Filing Code Description: Answer/Response
 Filing Description: Defendant's Original Answer
 Status as of 9/18/2023 10:55 AM CST

Associated Case Party: Luis Castaneda

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Nicolas Vilt		nicolas@viltlaw.com	9/18/2023 12:37:28 AM	SENT

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